

REMARKS/ARGUMENTS

In the Office Action mailed September 8, 2008, claims 10, 11, 13, 14, 17-23 and 26 were rejected. Claim 25 was objected to. Claims 13, 18, 19, 21, and 22 have been amended and claims 11, 14, 17 and 25 have been cancelled without prejudice or disclaimer. No new matter has been added.

Applicants have thoroughly reviewed the outstanding Office Action including the remarks and the references cited therein. The following remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references.

CLAIM OBJECTIONS

Claim 25 is objected as being dependent on a cancelled claim. Claim 25 has been cancelled. Withdrawal of the objection is respectfully requested.

CLAIM REJECTIONS – 35 U.S.C. §101

The Office rejected claims 10, 11, 13, 14, 17-23 and 26 under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. As the Office has suggested, Applicants have amended the claims to include “isolated antibody.” Withdrawal of the rejection is respectfully requested.

CLAIM REJECTIONS – 35 U.S.C. §112

The Office rejected claims 11, 14 and 17 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. The Office states that the claim(s) contain subject

matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Although the Applicants respectfully disagrees with the Office, Applicants have cancelled claims 11, 14 and 17 to further advance the prosecution of the application. Withdrawal of the rejection is respectfully requested.

CONCLUSION

In view of the foregoing remarks, Applicants respectfully request that all the objections and rejections to the claims be removed and that the claims pass to allowance. If, for any reason, the Examiner disagrees, please call the undersigned attorney at 202-861-1610 in an effort to resolve any matter still outstanding before issuing another action. The undersigned Attorney is confident that any issue which might remain can readily be worked out by telephone.

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to our Docket No. 87278.2740.

Respectfully submitted,
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